

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CHRISTINA BULL, )  
Plaintiff, ) CASE NO. C10-2009-JLR  
v. )  
MICHAEL ASTRUE, ) REPORT AND RECOMMENDATION  
Commissioner of Social Security, )  
Defendant. )  
\_\_\_\_\_  
)

Plaintiff brought this action to seek judicial review of the denial of his application for Disability Insurance Benefits and Supplemental Security Income by the Commissioner of the Social Security Administration. The parties have now stipulated that this case should be reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g). (Dkt. 18.)

Based on the stipulation of the parties, the Court recommends that this case be REVERSED and REMANDED for further administrative proceedings. The parties have stipulated that, on remand, the Administrative Law Judge (ALJ) will: (1) re-assess and explain the weight given to all of the medical opinions of record; (2) re-assess plaintiff's credibility and residual functional capacity, and ensure that the "B" criteria findings are consistent with the

01 residual functional capacity; (3) re-assess the lay statement of plaintiff's husband, John Bull;  
02 and (4) re-assess plaintiff's ability to perform her past relevant work as a school bus driver,  
03 taking into account the opinion of David E. Johnston, M.D., the evidence of alcoholism and its  
04 effects, and the alcohol testing required for this occupation. When evaluating any alcohol use,  
05 the ALJ will follow the two-stage method. *See* 20 C.F.R. § 404.1535 (2011). The parties  
06 agree that plaintiff may submit additional evidence and arguments and that those other aspects  
07 of the ALJ's prior decision not specifically addressed here are not affirmed. Also, upon proper  
08 application, the Court will consider plaintiff's application for attorney's fees and expenses  
09 pursuant to 28 U.S.C. § 2412(d).

10 Given the above, the Court recommends that United States District Judge James L.  
11 Robart immediately approve this Report and Recommendation and order the case REVERSED  
12 and REMANDED for further administrative proceedings. A proposed order accompanies this  
13 Report and Recommendation.

14 DATED this 20th day of May, 2011.

Mary Alice Theiler  
Mary Alice Theiler  
United States Magistrate Judge